

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

THE HERSHEY COMPANY and
HERSHEY
CHOCOLATE & CONFECTIONERY
CORPORATION

Plaintiffs,

v.

PROMOTIONS IN MOTION, INC.

Defendant.

Civil Action No. 07-cv-1601 (SDW) (MCA)

**CONSENT ORDER FOR
PRO HAC VICE ADMISSION**

This matter having been opened to the Court by McCarter & English, LLP, attorneys for plaintiffs The Hershey Company and Hershey Chocolate & Confectionary Corporation ("Plaintiffs"), John E. Flaherty appearing, for an Order, pursuant to Local Civil Rule 101.1(c), allowing David Scharfstein of the firm of Kaye Scholer LLP, to appear and participate *pro hac vice*; counsel for defendant having consented to the form and entry of this Order; and the Court having considered this matter pursuant to FED. R. CIV. P. 78, and for good cause shown,

IT IS on this 23 day of May, 2011

ORDERED that:

David Scharfstein, of the firm of ~~Kaye~~ Scholer LLP, 425 Park Avenue, New York, NY 10022, a member in good standing of the Bar in which he is admitted, be hereby permitted to appear *pro hac vice* in this action pursuant to Local Civil Rule 101.1(c); however, all pleadings, briefs and other papers filed with the Court on behalf of Plaintiffs shall be signed by a member or associate of the firm of McCarter & English, LLP, who shall be responsible for said papers, and for the conduct of the cause, and who shall be present in Court during all phases of these proceedings, unless expressly excused by the Court, and who will be held responsible for the conduct of the attorneys admitted hereby; and it is

FURTHER ORDERED that David Scharfstein, shall remit to the New Jersey Lawyers' Fund for Client Protection the annual payment required in accordance with New Jersey Court Rule 1:28-2(a) for each calendar year this matter is pending; and it is

FURTHER ORDERED that David Scharfstein, each pay \$150.00 to the Clerk, United States District Court for the District of New Jersey; and it is

FURTHER ORDERED that David Scharfstein, shall be bound by the General and Admiralty Rules of the United States District Court for the District of New Jersey, including, but not limited to the provisions of L.Civ.R. 103.1, Judicial Ethics and Professional Responsibility, and L.Civ.R. 104.1, Discipline of Attorneys; and it is

FURTHER ORDERED that David Scharfstein, shall be deemed to have agreed to take no fee in any tort case in excess of the New Jersey State Court Contingency Fee Rule, Rule 1:21-7, as amended.

Executed:

May 13, 2011



Honorable Madeline C. Arleo
United States Magistrate Judge